

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

Coordination Proceeding
Special Title (Rule 1550(b))

ANTELOPE VALLEY GROUNDWATER CASES

Included Actions:

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior Court of California, County of Los Angeles, Case No. BC 325 201

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co., Superior Court of California, County of Kern, Case No. S-1500-CV-254-348

Wm. Bolthouse Farms, Inc. v. City of Lancaster
Diamond Farming Co. v. City of Lancaster
Diamond Farming Co. v. Palmdale Water Dist.
Superior Court of California, County of Riverside,
consolidated actions, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Willis v. Los Angeles County Waterworks District No. 40, Superior Court of California, County of Los Angeles, Case No. BC 364 553

Wood v. Los Angeles County Waterworks District No. 40, Superior Court of California, County of Los Angeles, Case No. BC 391869

Wood v. A.V. Materials, Inc., et al., Superior Court of California, County of Los Angeles, Case No. BC 509546

Wood v. County of Los Angeles, Superior Court of California, County of Los Angeles, Case No. BS 143790 [ADD-ON PETITION IS PENDING]

Judicial Council Coordination
Proceeding No. 4408

For Court's Use Only:
Santa Clara County Case No.
1-05-CV-049053
(for E-Posting/E-Service
Purposes Only)

Date/Time: Friday, August 29, 2014

11:00 AM

Location: Department 1

Superior Court of California
County of Santa Clara

Antelope Valley Groundwater Cases (JCCP 4408)
Los Angeles County Superior Court, Case No. BC 325 201
August 29, 2014 (11:00AM) / Hon. Jack Komar

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Present: Hon. Jack Komar, Judge
Melissa Crawford, Reporter

Rowena Walker, Clerk (SC)
_____, (LA)
_____, Court Attendant (LA)
_____, C.A. Deputy Sheriff (SC)

MINUTE ORDER: **STATUS CONFERENCE** This Status Conference was set by the Court as a follow-up to the August 15, 2014 status conference regarding the pending settlement.

Wood Class Attorneys' Fees

Parties present reported that the Wood Class Attorneys' Fees issue remains unresolved; a further mandatory meet and confer session has been set by Attorney Jeffrey Dunn for Wednesday, September 3, 2014 at 10:00 a.m. at the Los Angeles office of Best, Best & Krieger; parties shall contact Attorney Wendy Wang for confirmation and/or to set up appearances by telephone. Parties shall report back with a status report to the Court on **Friday, September 5, 2014 at 9:00 a.m. (via CourtCall)**.

Phelan Piñon Hills Community Services District ("PPH")

Trial on the issues relating to PPH remains set for October 7, 2014. Each party must file its Notice of Intent to Participate no later than September 9, 2014. Those parties filing a Notice of Intent to Participate must be present at the Status Conference on September 26, 2014 (see below). Disclosure of Percipient Witnesses with a summary statement of anticipated testimony and Designation of Experts shall be due by September 9, 2014. Trial briefs are due by October 1, 2014.

The issue as to whether PPH's 2nd cause of action (Appropriative Right) and 6th cause of action (Recapture of Return Flows) will be heard at the next phase of trial was discussed by the parties and the Court; a Further Status Conference on these PPH issues is set for **Friday, September 26, 2014 at 10:00 a.m. in Department 17, Superior Court of California, County of Santa Clara**; parties may appear by telephone (CourtCall). An updated statement from Phelan Piñon Hills shall be due by September 22, 2014; oppositions and responses thereto shall be due by September 25, 2014. In addition, PPH's motion in limine on the issue of surplus in the local/regional Southeast area of the aquifer will be heard on September 26, 2014.

Blum Trust

Attorney Sheldon Blum confirmed that he will contact the Court in September to schedule a December 2014 hearing on motion by the Blum Trust for summary judgment.

Other Issues

The Court will be unavailable from September 10, 2014 through September 21, 2014.

The Court advised Attorney Walter Wilson, representing Antelope Valley Mobile Estates, LLC, ("AVME") to contact Attorney Jeffrey Dunn as soon as possible to establish whether AVME will be part of the Wood Settlement Class.

PARTIES/ATTORNEYS OF RECORD:

See attached CourtCall List.

REPORTER:

Melissa Crawford, CSR #12288 (408) 882-2115

EVENT CALENDAR:

| | | |
|--|---------|---|
| September 3, 2014 BBK Los Angeles Office | 10am | Mandatory Meet and Confer Session on Wood Class Attorneys' Fees Issue |
| September 5, 2014 | 9am | Status Conference Call (CourtCall only) |
| September 9, 2014 | no time | Due Date for Notice of Intent to Participate. Due Date for Disclosure of Percipient Witnesses with a summary statement of anticipated testimony and Designation of Experts |
| September 22, 2014 | no time | Due Date for PPH updated statement |
| September 25, 2014 | no time | Due Date for responses to PPH updated statement |
| September 26, 2014 Department ____ Santa Clara | 10am | Status Conference Call; PPH motion in limine |
| October 7, 2014 Department ____ Santa Clara | 9am | Hearing related to Phelan Piñon Hills Community Services District (3 day estimate) |
| October 10, 2014 | 9am | Due Date for Settlement Submissions (no hearing) |
| December 2014 | TBA | Blum Trust MSJ (date/time TBD) |

MATTERS OFF CALENDAR AND CONTINUED UNTIL FURTHER ORDER OF THE COURT:

| | | |
|---------------|-----|---|
| April 4, 2014 | 9am | Ex Parte Application by the United States to continue briefing schedule on the Federal Reserve Right Claim (currently: closing brief due April 2, 2014; opposition brief due April 22, 2014; reply brief due 5/1/14; stands submitted as of 5/1/14. |
|---------------|-----|---|

Ex Parte Application by the Public Water Suppliers
to Extend Date to Respond to Phase 6 Discovery
Order

~~April 7, 2014~~ 9am
Dept 41, Room 417, 4th Fl.
Los Angeles

AGWA's Motions, including, but not limited to:
(1) Motion for Judgment on the Pleadings;
(2) Motion in Limine for an Order Establishing the
Evidentiary Standard for Notice for Proof of
Prescription by the Public Water Purveyors; (3)
Motion in Limine for an Order Establishing the
Necessity of the Public Water Purveyors Proving the
Elements of Prescription as to Each Landowner; and
(4) Motion for Order Setting Matter for Jury Trial

Joinders to the above motion by the Bolthouse
Entities

(Continued) Trial, Phase 5 (return flows, federal
reserve rights); Wm. Bolthouse Farms, Inc.'s
Motion for Non-Suit on the Federal Reserve Right
Claim

~~August 4, 2014~~ 9am
Old Dept 1, Los Angeles

Trial, Phase 6 (prescription + remaining issues)